

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THOMAS M. FLOHR d/b/a EMERGING	:	FILE NO. 07 CV 2920 (RWS)
MARKETS GROUP,	:	
	:	ECF CASE
Plaintiff,	:	
	:	
v.	:	
	:	
INTERNATIONAL BUSINESS ASSOCIATES,	:	
LTD.,	:	
	:	
First Defendant,	:	
	:	
INTERNATIONAL BUSINESS ASSOCIATES	:	
HOLDINGS CO., LTD., INTERNATIONAL	:	
BUSINESS ASSOCIATES (USA), INC., JOHN	:	
KEAN, JR., and STANLEY J. BROWNELL,	:	
	:	
Second Defendants,	:	
	:	
HARKEN ENERGY CORPORATION,	:	
	:	
Third Defendant.	:	
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**NOTICE OF MOTION TO DISMISS THE COMPLAINT AND TO
COMPEL PLAINTIFF TO ARBITRATE HIS CLAIMS PURSUANT TO
THE PARTIES' AGREEMENT TO SUBMIT ALL SUCH DISPUTES TO
BINDING ARBITRATION OR, IN THE ALTERNATIVE, TO STAY THIS
MATTER PENDING ARBITRATION**

PLEASE TAKE NOTICE that Connell Foley LLP, attorneys for defendants International Business Associates, Ltd., International Business Associates Holdings Co., Ltd., International Business Associates (USA), Inc., John Kean, Jr., and Stanley Brownell, will move before this Court on a date and time to be determined, before the Honorable Robert W. Sweet, United States District Judge, in Courtroom 1920 of the United States Courthouse located at 500 Pearl Street, New York, New York, for an Order pursuant to Rule 12(c) of the Federal Rules of

Civil Procedure, dismissing plaintiff's complaint and compelling the plaintiff to arbitrate his claims pursuant to the parties' agreement to submit all such disputes to binding arbitration or, alternatively, for an Order staying this matter pending resolution of the mandated arbitration.

Dated: May 17, 2007

s/ Peter J. Pizzi
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